

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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HELEN LAVELLE,

Plaintiff,

-against-

PRUDENTIAL INSURANCE COMPANY OF
AMERICA,

Defendant.
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USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: _____ DATE FILED: 3/12/2021

20-cv-8106 (VSB)

ORDER

VERNON S. BRODERICK, United States District Judge:

The parties in this case represent that they have an ongoing dispute as to whether discovery beyond the administrative record is appropriate in this case—Defendant believes that such extra-record is inappropriate, while Plaintiff believes it is warranted. On January 29, 2021, I ordered Defendant to file an affidavit of service once it provided Plaintiff with the administrative record in this case. (Doc. 17.) I further ordered that, upon receipt of the administrative record, Plaintiff would have one week to review that administrative record and submit a filing representing whether she still believed that extra-record discovery was warranted. (*Id.*) Defendant filed an affidavit of service on March 1, 2021, indicating that it emailed Plaintiff the administrative record and a privilege log on February 26, 2021. (Doc. 19.) Plaintiff's filing is overdue, as it has been two weeks since Defendant served Plaintiff with the administrative record. Accordingly, it is hereby:

ORDERED that Plaintiff shall submit a filing on or before March 19, 2021 indicating whether or not she still believes, after reviewing the administrative record, that extra-record discovery is appropriate in this case. Plaintiff is warned that she may forfeit the opportunity to argue in favor of extra-record discovery if she fails to meet this new deadline.

SO ORDERED.

Dated: March 12, 2021
New York, New York

A handwritten signature in black ink, reading "Vernon Broderick". The signature is written in a cursive style with a large, stylized "V" and "B".

Vernon S. Broderick
United States District Judge